

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

No. S14 98-CR-1023
(LAK)

v.

**ATTORNEY
AFFIRMATION**

Sulaiman ABU GHAYTH,

Defendant.

-----X

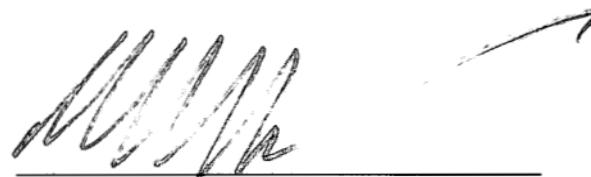
STANLEY L. COHEN, Esq., an attorney admitted to practice as such before the courts of the State of New York affirms under pain and penalty of perjury the following to be true, except that stated upon information and belief, which he believes to be true:

1. I am attorney of record for Mr. Abu Ghayth in the case at bar and as such I am fully familiar with the pleadings and proceedings heretofore had.
2. This application is submitted in support of Mr. Abu Ghayth's Motion to preclude the proposed expert testimony of Evan F. Kohlmann, or in the alternative, to order a Daubert hearing under Federal Rules of Evidence 104(a).
3. Based upon a review of the history, education, experience, publications, and so-called *bona fides* of this witness, it is respectfully submitted that Mr. Kohlmann does not present this Court with the necessary training, background or expertise to testify in the matter at bar.
4. In addition, it would appear that the substance about which the Government proposes this witness testify is not beyond the ken of the jury; and furthermore that it is not relevant to the facts the jury is to consider; and that it is so prejudicial as to out-weigh any probative value of the proffered testimony.

5. On the basis of the memorandum of law, annexed hereto, the Defendant respectfully moves *in limine* for the proposed testimony to be excluded, or in the alternative for a Daubert hearing to determine whether this witness may testify.

Dated: New York, New York
On this 31 January 2014

Respectfully submitted,



STANLEY L. COHEN, ESQ.
Counsel for Sulaiman Abu Ghayth
Stanley L. Cohen & Associates
119 Avenue D, Fifth Floor
New York City, N. Y. 10009
(212)979-7572 Fax(212) 995-5574
stanleycohenlaw@verizon.net